

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 68764

Robert Sipes  
Jennifer Sipes

600 Middlesex Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on November 18, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-4-201 (d), 13-4-310, 312, failure to store all garbage in rodent resistant containers with tight fitting lids, failure to remove all junk, trash and debris on residential property known as 600 Middlesex Road, 21221.

On October 14, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Kim Wood issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$200.00 (two hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on September 23, 2009 for removal of trash and debris and proper storage of garbage in cans with tight lids. This Citation was issued on October 14, 2009.

B. Photographs in the file show junk and debris and multiple large black plastic bags on the ground. Notes in the file say that Respondent telephoned to notify the inspector that the black plastic bags were full of yard waste and not garbage; the inspector advised that the property would be re-inspected and that the Citation would be dismissed if the yard was cleaned up and all garbage was in cans with lids. Photographs in the file taken November 17, 2009 when the property was re-inspected show cans without lids overflowing with bagged garbage, and trash and garbage on the ground. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats.

C. Because compliance is the goal of code enforcement, the civil penalty will be reduced if the violation is corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$200.00 (two hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the violation is corrected, with all garbage properly stored in cans with tight lids, by December 14, 2009.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 27<sup>th</sup> day of November 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

MZF/jaf